



DIVISION OF
ENFORCEMENT

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

November 10, 2021

Via ECF

The Honorable John P. Cronan
United States District Judge
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

**Re: *SEC v. Cole*, No. 1:19-CV-11148-JPC
Joint Status Letter**

Dear Judge Cronan:

Pursuant to this Court's October 19, 2020 Order (*see* ECF No. 26), the parties respectfully submit this joint status letter to update the Court regarding the proceedings in *United States v. Neil Cole*, 19-CR-00869-ER. Since the last joint status letter was filed on August 12, 2021 (*see* ECF No. 30), a jury trial was held before the Honorable Edgardo Ramos. On November 1, 2021, the jury returned a verdict of not guilty on two counts of the indictment and was unable to reach a unanimous verdict as to the remaining counts. Accordingly, Judge Ramos declared a mistrial as to those counts. We understand that the government is evaluating whether to pursue a retrial with respect to the open counts.

As ordered, the parties will file the next joint status letter in this matter on or before February 8, 2022.

Respectfully submitted,

/s/ Fernando Campoamor-Sánchez
Fernando Campoamor-Sánchez
Securities and Exchange Commission
(202) 551-8523
campoamorsanchezf@sec.gov
Counsel for Plaintiff

/s/ Richard C. Tarlowe
Lorin L. Reisner
Richard C. Tarlowe
Andrew D. Reich
Paul, Weiss, Rifkind, Wharton & Garrison LLP
(212) 373-3035
rtarlowe@paulweiss.com
Counsel for Defendant